



18 JUN 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Benjamin Adler
c/o Adler & Associates
8011 Candle Lane
Houston, Texas 77071

In re Application of

SHAFFER, David

Application No.: 09/744,097

PCT No.: PCT/US99/16242

Int. Filing Date: 16 July 1999

Priority Date: 17 July 1998

Atty. Docket No.: 1414.501US

For: METHODS FOR DETECTING AND

MAPPINGS GENES, MUTATIONS

AND VARIANT POLYNUCLEOTIDE

SEQUENCES

DECISION ON PETITION
UNDER 37 CFR 1.181

This is a decision on applicant's "Response to Notification of Defective Response and Certificate of Mailing under 37 CFR 1.8" filed 09 April 2002 and "Petition Under 37 CFR 1.181" filed 05 June 2003.

The petition is accompanied by a copy of the sequence listing and computer readable form filed on 09 April 2002 and requests, in effect, that the copy of the sequence listing and computer readable form be accepted as a true copy filed 09 April 2002.

A review of the application file reveals that the sequence listing and computer readable form in compliance with 37 CFR 1.821 -1.825 was received in the Patent and Trademark Office on 09 April 2002. Accordingly, applicant's request that the copy of the sequence listing and computer readable form filed with the petition be accepted as a copy filed 09 April 2002 is dismissed as moot, since the original sequence listing and computer readable form have now been located and placed in the application file. Therefore, the sequence listing and computer readable form filed 09 April 2002 was a proper response to the Notification of Defective Response mailed 22 March 2002.

The application has an international filing date of 16 July 1999 under 35 U.S.C. 363 and a 35 U.S.C. 371(c) date of **16 January 2001**.

This application is being returned to the United States/Elected Office for processing in accordance with this decision.

Anthony Smith

Anthony Smith

Attorney-Advisor

Office of PCT Legal Administration

Telephone: (703) 308-6314

Facsimile: (703) 308-6459